

EXHIBIT A

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Plaintiffs,

VS.

RYAN CARROLL; *et al.*

Defendants.

Case No.: 2:24-cv-02886-WLH

**PLAINTIFF MICHAEL
NIBARGER’S DECLARATION
SUPPORTING OPPOSITION TO
WHOLESALE UNIVERSE
MOTION TO DISMISS**

I, Michael Nibarger, have personal knowledge of the matters set forth below and if called to testify, I would do so competently.

1. My name is Michael Nibarger.
2. I am a retired California Highway Patrol Officer.
3. In or around September of 2022, a Wealth Assistants representative named
Brayton Bushby sent me a PowerPoint presentation stating that Wealth

1 Assistants' stores could be expected to generate up to \$10,000 per month for its
2 owner in profits.

3 4. I relied on that statement when I purchased the business opportunity Wealth
4 Assistants was selling for \$55,000 in late 2022. I also relied on the "Buy Back
5 Guarantee" in the contract I signed with Wealth Assistants when purchasing
6 that business opportunity.
7

8 5. I received less than \$3,000 in connection with the store that Wealth Assistants
9 set up for me.
10

11 6. On October 23, 2023, I received an email from Ryan Carroll stating that
12 Wealth Assistants "will not be able to honor any more Buyback Guarantees"
13 and would "cease all operations before December 1, 2023." The same email
14 also stated that Wealth Assistants was offering its clients a "Transition
15 Agreement." Specifically, Wealth Assistants offered its clients the opportunity
16 to transition their stores to management by another ecommerce firm on
17 "favorable terms." The email also attached a "comparison of vendor
18 proposals," which purportedly compared three e-commerce firms that had
19 offered "favorable terms" to manage Wealth Assistants' clients' stores. But the
20 only e-commerce firms actually identified in the "vendor proposals" were
21 "Quantum Ecom" and "Wholesale Universe," which jointly offered a proposal.
22 The other "vendors" offering the proposal were anonymous.
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1 7. In or around October of 2023, I received an email from Wholesale Universe
2 stating that, prior to going out of business, Wealth Assistants purchased from
3 Wholesale Universe \$5,000 of inventory for my store. The email asked me to
4 contact Wholesale Universe so that the inventory could be uploaded into my
5 store.
6

7 8. Shortly after receiving that email, I called the number listed on the email and
8 spoke to a representative of Wholesale Universe about receiving the \$5,000
9 that Wealth Assistants had purportedly paid to Wholesale Universe to pay for
10 inventory for my store. The representative told me that I could not receive
11 \$5,000 in cash, and that the \$5,000 would instead be a credit towards inventory
12 that would be uploaded to my online Amazon store if I gave Wholesale
13 Universe and Quantum Ecommerce access to my online Amazon store and
14 paid them substantial warehouse fees and shipping fees.
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18 9. Because I did not trust Wholesale Universe or Quantum Ecommerce to manage
19 my store and I did not want to pay the fees, I did not provide them with access
20 to my store, and I did not receive the \$5,000 that they were purportedly holding
21 for my store.
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23 I declare under penalty of perjury that the foregoing is true and correct.
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1 Dated: 12/18/2024

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3
4 Signed: 
5 Michael Nibarger (Dec 18, 2024 13:04 PST)






Nibarger declaration

Final Audit Report

2024-12-18

Created:	2024-12-18
By:	Nico Banks (nico@bankslawoffice.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUv3putmr3Sv_NuXra1ta4YYqQw0HoneE

"Nibarger declaration" History

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